

# Court of Appeals, State of Michigan

## ORDER

In re Chadd Londowski

Docket No. 355635

LC No. 2020-000737-MI

Stephen L. Borrello  
Presiding Judge

Deborah A. Servitto

Cynthia Diane Stephens  
Judges

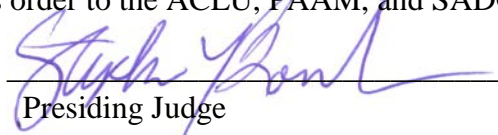
On the Court's own motion, appellant shall file a supplemental brief within 28 days after the date of this order specifically addressing the following questions:

1. Does a respondent in an involuntary mental health treatment proceeding have a right to the effective assistance of counsel in some or all circumstances? If so, what is the extent of that right, and is it grounded in the United States Constitution, Michigan Constitution, statute, and/or court rule? See, e.g., *Vitek v Jones*, 445 US 480; 100 S Ct 1254; 63 L Ed 2d 552 (1980); *Addington v Texas*, 441 US 418; 99 S Ct 1804; 60 L Ed 2d 323 (1979); *Lassiter v Dep't of Social Services*, 452 US 18; 101 S Ct 2153; 68 L Ed 2d 640 (1981); *In re Portus*, 325 Mich App 374; 926 NW2d 33 (2018); MCL 330.1454; MCR 5.732.

2. If there is a right to the effective assistance of counsel in this context, how should an appellate court review a claim that this right was denied? See, e.g., *Strickland v Washington*, 466 US 668; 104 S Ct 2052; 80 L Ed 2d 674 (1984); *In re AMB*, 248 Mich App 144; 640 NW2d 262 (2001); *In re Trowbridge*, 155 Mich App 785; 401 NW2d 65 (1986).

Appellee shall file a brief on appeal within 21 days after service of appellant's supplemental brief. Further, appellant shall serve his supplemental brief, and appellee shall serve its brief, on the American Civil Liberties Union of Michigan (ACLU), the Prosecuting Attorneys Association of Michigan (PAAM), and the State Appellate Defender Office (SADO). The ACLU, PAAM, and SADO are invited to file amici curiae briefs within 21 days after service of appellee's brief. Other interested organizations and individuals may file motions to file amici curiae briefs.

The Clerk's Office shall send copies of this order to the ACLU, PAAM, and SADO.

  
Presiding Judge



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

June 21, 2021

Date

  
Chief Clerk